Previous references.

J.F. 34 of 1904-05, Sl: nos 102, B- August 1902.

File No. 34 of 1904-05.

190 4

(III - Courts.)

Later references.

File 34 of 04-05, Sl: 16, File Nov 1904.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 6 to 11.

PART B FOR October 1904.

SUBJECT.

Sowars Ziabuddin Khan and Shan Singh, concerned in the Agaram riot case.

FILE No. 34 of 1904-05.

Sowars Ziabuddin Khan and Shan Singh concerned in the Agaram riot case.

6 From the First Assistant to the Hon'ble the Resident in Mysore, No. 5037, dated the 8th October 1904.
States that the Military authorities are arranging for the trial of Sowar Ziabuddin Khan by a Court-martial and requests that the attendance of all the prosecution witness may therefore be secured at the orderly room of the 28th Light Cavalry at 11 A.M., on any day except Thursday or Sunday, the date fixed being intimated to him.

7 To the Deputy Commissioner, Bangalore, No. dated the 8th October 1904.
Forwards copy of Serial No. 6 and requests him to make needful arrangements early, the date fixed being intimated to this office.

8 From the Deputy Commissioner, Bangalore, No. 300—S., dated the 11th October 1904.
States that the Amildar reports that the witnesses in the case have been bound over to appear at the Court-martial room of the 28th Light Cavalry at 11 A.M., on the 15th instant.

9 To the First Assistant to the Hon'ble the Resident, No. Pol. 318, dated the 11th October 1904.
Informs him of the above.

10 From the First Assistant to the Hon'ble the Resident, No. 5403, dated the 28th October 1904.
States that a District Court-martial has been ordered to assemble at the Court-martial room of the District Staff Office of the Civil and Military Station, Bangalore, at 11 A.M., on the 1st November 1904, for the trial of the sowar, and requests that arrangements may therefore be made for the attendance of the witnesses at the District Staff Office at 11 A.M., on the 1st November 1904.

G. R. S.

The District Magistrate of Bangalore, No. J. 1050—C. 35-4, dated the 28th October

August 04: Sls. 1 and 2, File 34 of 04-05 and G. File No. 96 of 03-04

G. R. S. 11] 1904-05

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 84

FILE HEADING.

Sowars Ziaruddin Khan and Khan Singh, Convicted in the Afghan Raid Case.

From

The Asst to the Resident in Mysore.

No. 5037. Dated 8th October 1904 Received 8th October 1904

Diary No. 7785.	Enclos -	Spare Copies. -	Serial No. 6

BRIEF ABSTRACT OF LETTER.

States that the Military authorities are arranging for the trial of Sowar Ziaruddin Khan by Court Martial & requests that the attendance of the prosecution witnesses may therefore be secured at the orderly room of the 20th Light Cavalry at 11 A.M. on any day except Thursdays or Sundays.

NOTES AND ORDERS.

Secy 28-10-04

1. "Take very early action and intimate the day to the Resident" 28 Oct 04. 8/X/04.

2. "Copy sent to the Commissioner of Bangalore with memo as per draft below attached" D. Bk 8/10/04.

NOTES—First sheet.

MGCPB—25,000—18-8-04

G.R.S. 12]
General and Revenue Secretariat.

File No. 34 of 1904-05

Serial No.

7. To the D.S./the Mr. V., Bangalore N. - Dated the 8th October 1904.
Forwards copies of the above, and requests him to make needful arrangements, the duty forged being intimated to this office.

8. From the same office No. 300/S Dated the 11th October 1904.
States that the Bundobast reports that the witnesses in the case have been warned not to appear at the Court martial room of the 28th Light Cavalry at 11 A.M. on the 25th instant.
"Branch III.
3. Refer the above as per margin and request the Deputy Commissioner to ask a Sub Divisional Officer of Police to take the witnesses to the Court as they may not know its whereabouts."
Urgent. 2nd Brch. 11/10/1904.

Asst. Commr. C.
22-10-04

9. To the 1st Asst. Resident No. OR 318 Dated the 11th October 1904.
Informs him of the above.

10. From the 1st Asst Resident No. 5203 Dated 22/10/04.
States that a District Court martial for the trial of the Sowars has been ordered to assemble at the Dist Staff Office, C.M. Station, on the 27th proximo & requests that arrangements may be made for the attendance

NOTE—Contn. sheet.

MGCPB—10,000—31-8-04.

G.R.S. 12]

General and Revenue Secretariat.

File No. 34 of 1904-05

Serial No.	
	of the witness at the Dist Sheriff's office at Akola under notice.
11	do the Dist. Magistrate Banglore No. 7105/C.354 dt 28/10/04.
	Forwards copy of the above for immediate action & report.

MGCPB—10,000—31-8-04.

Urgent

Serial No. 6.

R. P. B.—7-1904—1,000.

No. 5037

From

R. C. H. MOSS. KING, Esq., I. C. S.,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To

The Dewan of Mysore.

Dated Bangalore, 8th September *1904.*

Sir,

In continuation of paragraph 2 of my letter No. 3513, dated 25th July 1904, I am directed to state that the Military authorities are now arranging for the trial of Sowar Ziabuddin Khan by a Court Martial for his participation in the Agram riot and that they wish to hold a preliminary enquiry into the case as early as possible.

2. I am therefore to request that the Durbar will be so good as to cause the attendance of all the prosecution witnesses at the Orderly Room of the 28th Light Cavalry at 11 A.M. on any day next week except Thursday or Sunday, and to intimate the date fixed to this office, for communication to the Military authorities.

I have the honour to be,
Sir,
Your most obedient servant,

First Assistant Resident.

[Hen enclr D.A. Resident's letter
Dl: 1 ... No 5037, dated 8th October 1904.]

No

Copy of the above is forwarded to the Dy: Commr of the Bangalore Dist with a request that the needful arrangements may be kindly made early & the date fixed by him obligingly intimated to this Office as soon as possible

8/10/1904

R.O
Asst
Secy

J786. Sl: No 8. 3.

No 300. Office of the Deputy Commissioner
Bangalore District
Dated 11th October 1902

From

D. Devaraj urs, Esquire
Deputy Commissioner
Bangalore District

To

B. K. Venkatavardiengar, Esquire
Secretary to the Government
of His Highness the Maharaja of
Mysore, Genl and Rev: Depts
Bangalore

Branch III
Reply the Residency
as per draft
& request
the Dy Comr
to order
a Sub Off
& Police to
take the
Witnesses
& the Court
as they may
not know
its where
abouts &
Urgent 11.10.1902

Sir,

With reference to your letter of the 8th instant forwarding for compliance copy of letter No 5037 of the 8th idem from the First Assistant to the Hon'ble the Resident in Mysore to your address re the production of certain witnesses at the Orderly room of the 28th Light Cavalry, I have the honor to state that the Amildar reports that the witnesses referred to therein have been bound over to appear on the

15th

VII
Dues
1110

(General Serial No. 30.)

1904 1786

From

B. Devaraj urs, Esquire
Deputy Commissioner
Bangalore District

To

B. K. Venkataravanaiyar, Esq
Secy to the Govt. of His
Highness the Maharaja of
Mysore

Dated 11.10.1904 Gen: & Rev: Dept
Bangalore

Despatched Do

Received

General No. 300 — — } 1904.
No. S

Enclosures Number. —

Intimating the date on which the witnesses for the Court Martial will be ready at the Orderly Room of the 2nd Light Cavalry

15th instant at 11 A.m. at the Court-
martial room of the 2nd Light-
Cavalry.

I have the honor to be,
Sir,
your most obedient servant

D Cameron

Deputy Commissioner
Bangalore District

#111
Quai

Serial No 9.

Pol: No 318/07
11-10-1904.

To The Ist Asst: to the
Hon'ble the Resident
in Mysore

Sir

In reply to your
letter No 5037 of the
8th Oct 1904, I beg
to inform you that
the witnesses in the
riot case referred to
have been bound
over to appear at
the orderly room
of the 28th Light-
Cavalry at 11 O'c am
on Saturday the
15th Oct: 1904.

I have &c

11.10.1904
Dey

Cfpd: V.K.R. 11-10-04

Excnd: V.K. 11-10-04

Very Urgent (Contd)

Serial No 10

J 885 6 4-45

R. P. B.—7-1904.—1,000.

No. 5403

FROM

R. C. H. MOSS. KING, ESQ., I. C. S.,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

Pol. No 656 dy 28.10.04

To

The Dewan of Mysore.

Dated Bangalore, 28th October 1904.

SIR,

A District Court Martial has been ordered to assemble at the Court Martial Room, District Staff Office, Civil and Military Station of Bangalore, at 11 A.M. on the 1st November 1904, for the trial of Sowar Ziabuddin Khan of the 28th Light Cavalry accused of rioting at the village of Agara on 1st November 1903.

I am to request that the Durbar will be so good as to arrange for the attendance of the marginally noted witnesses at the District Staff Office at 11 A.M. on the 1st proximo.

Please see over-leaf.

2. As the 28th Light Cavalry are to leave the Station on the 15th November for Saugor, it is essential that the case should be disposed of before that date, and the officiating Resident trusts that the notice given will be found sufficient.

I have the honour to be,

Sir,

Your most obedient servant,

First Assistant Resident.

2R

7

1. Rama Reddy, villager of Agara.
2. Keritappa,Villager of Agara and Shanbog of Kodihalli.
3. Subrayappah shanbog of Agara.
4. Tippa Reddy, villager of Agara.
5. Muniappah son of Ram Reddy.
6. Hospital Assistant Annappah.
7. Rama Singh, villager of Agara.

12

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

(Here recite letter No 5403 dated 28-10-04 from the High Court and the Records in Register.

No J 1050 / C35-4 & 28-10-04

Copy of the above is forwarded to the District Magistrate Bangalore for immediate action and report.

By order

28/10/04

for Secretary

28.10.04

ORIGINAL

1905

FILE No. 35 OF 1904-05.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

PROCEEDINGS OF THE GENERAL AND REVENUE DEPARTMENT

COURTS

AUGUST

"A" Collection Serial Nos. 1—4

Jurisdiction of Criminal Courts in Native States over Native Officers and Soldiers of the British Army.

TABLE OF CONTENTS.

Serial No. of File	Number and date of letter and contents	References	Page in Part A
1	From the First Assistant to the Hon'ble the Resident, No. 3513, dated the 25th July 1904. States that the Government of India have decided that this jurisdiction should be limited to the cases (i) when a Native Soldier while on leave in a Native State commits an offence which renders him subject to arrest or (ii) when a Native Soldier while on leave in a Native State is arrested for an offence committed by him on some previous occasion; provided that the offence so committed is one of those entered in the Schedule to the Indian Extradition Act.		1
2	To the First Assistant Resident, No. Pol. 265, dated 20th September 1904. Requests to be informed of the procedure to be followed by the Durbar in cases; (*a*) when a Native Soldier of the British Army commits within the State *while not on leave* an offence *which does not subject him to arrest*; (*b*) when he commits therein *while on leave* an offence which *does not subject him to arrest*; and (*c*) when he commits therein *while not on leave* an offence which subjects him to arrest; (*d*) when the offence is one falling outside the Indian Extradition Act; and states that it is presumed that the expression "on some previous occasion" is independent of the circumstance whether the Native Soldier is, at the time of the commission of the offence, on leave or not.		1
3	From the same officer, No. 2627, dated 11th May 1905. States that the Courts of Native States have no jurisdiction in cases mentioned in (*a*); that as regards (*b*) the Native Soldier or Officer who while on leave in a Native State commits an offence of any kind against the law of such State is amenable to the jurisdiction of such Courts; that as regards (*c*) the offender may be arrested by the State authority in any case in which the law of the State permits of such arrest, but he should be handed over forthwith to the nearest Military authority; that the words "on some previous occasion" may be interpreted in their broadest sense but not so as to include the case of a Native Soldier who has been already tried for an offence committed while on duty; and lastly that the Government of India are prepared to waive the restriction imposed by the proviso to their resolution.		2
4	To the Compiler, *Mysore Gazette*, No. J. 418—C. 35-4, dated 7th August 1905. Forwards for publication a notification laying down the limit of the jurisdiction of the Criminal Courts in Mysore over Native Officers and Soldiers of the Indian Army.		3

1904–05.

GENERAL AND REVENUE DEPARTMENT.

COURTS FOR AUGUST.

NOTES.

FILE No. 35 of 1904-05

Jurisdiction of Criminal Courts in Native States over native officers and soldiers of the British Army.

From the First Assistant to the Resident in Mysore, No. 3513, dated 25th July 1904.

Forwards the views of the Government of India in the matter.

1. Submitted with a draft communicating the same to Criminal Courts and Police officers for their information and guidance. A draft to the Residency in reply to their number is also put up.

T. K. S.
4-8-04.

N. N.
4-8-04.

D. M. NARASINGA RAW.
4-8-04.

K. S. CHENDRASEKHARA IYER.
5-8-04.

2. Drafts submitted to the Dewan Saheb for approval (through the 1st Councillor).

B. K. VENKATA VARADA IYENGAR.
5-8-04.

3. Drafts approved.

C. S.
6-8-04.

Submitted to His Highness.

4. A draft letter to the Resident in the matter of certain instructions conveyed by him regarding the future jurisdiction of Mysore Criminal Courts over native soldiers of the British Army, is herewith submitted for approval. Before communicating them to the Courts concerned, it is deemed expedient to have certain doubts touching them cleared up. The draft itself refers to the various points requiring elucidation and may be approved.

P. N. K.
15-9-04.

Order.

5. Approved.

K. R. W.
H. H. the Maharaja.
19-9-04.

6. Issue early.

P. N. K.
20-9-04.

2. *To the First Assistant Resident, No. Pol. 265, dated 20th September 1904.*

Requests to be informed of the procedure to be adopted by the Durbar in cases—

(*a*) when a native soldier of the British Army commits within the State *while not on leave,* an offence which *does not subject him to arrest,*

(*b*) when he commits therein, *while on leave* an *offence which does not subject him to arrest,* and

(*c*) when he commits therein, *while not on leave,* an offence which subjects him to arrest,

(*d*) where the offence is one falling outside the Indian Extradition Act,

and states that it is presumed that the expression "on some previous occasion" is independent of the circumstances whether the native soldier is at the time of the commission of the offence on leave or not.

3. *From the First Assistant to the Hon'ble the Resident, No. 2637, dated the 11th May 1905.*

States that the Courts of Native States have no jurisdiction in cases mentioned in (*a*); that as regards (*b*) the native soldier or officer who, while on leave in a Native State, commits an offence of any kind against the law of such State, is amenable to the jurisdiction of such Courts; that as regards (*c*), the offender may be arrested by the State authority in any case in which the law of the State permits of such arrest, but he should be handed over forthwith to the nearest Military authority; that the words "on some previous occasion" may be interpreted in their broadest sense but not so as to include case of a native soldier who has been already tried for an offence committed while on duty and lastly that the Government of India are prepared to waive the restriction imposed by the proviso to the resolution.

7. Perhaps the whole correspondence may now be communicated to the Magistrates and Police officers in the State for their information and guidance. Submitted with a draft for approval.

T. K. S. S. N.
13-5-05 13-5-05.

8. As the present letter of the First Assistant Resident modifies the provisions communicated in the letter of 25th July 1904, it may be useful to summarise the combined result of both, which is as follows:—

The jurisdiction of Mysore Criminal Courts is limited to cases—

(i) where a native *officer or* soldier while on leave within the State, commits *an offence of any kind* against the law of the State;

(ii) where a native officer or soldier while on leave within the State is arrested for an offence committed in the State on some previous occasion *whether he was then on leave or not; but not where he has been already tried and either acquitted or punished by the British authorities for an offence committed on duty.*

* The word soldier seems to be loosely used as including both officer and soldier.

9. Our Courts have no jurisdiction in regard to offences committed *while not on leave.* The offender may be arrested if the law permits of it, but he should be forthwith handed over to the nearest military authority.

It seems advisable that so important an arrangement affecting the jurisdiction of Criminal Courts should be published in the form of a notification by the Sovereign, as there is no statutory power that I am aware of under which the executive Government can issue the necessary orders for limiting the said jurisdiction. (Cf. the the notification issued in 1904 in regard to jurisdiction over European British Subjects.)

11. I have accordingly prepared a draft notification; if this be approved, the other draft of an order would not be necessary.

E. S. CHANDRASEKHARA IYER.

B. K. VENKATA VARADA IYENGAR.
15-5-05

12. I agree with the Deputy Secretary. "Any kind of offence" is very general, but the Government of India does not seem disposed to concede to the State jurisdiction over officers and soldiers not on leave except in regard to offences committed on previous occasion—a notification as proposed seems more suitable than an order.

C. S.
22-5-05.

13. Two drafts may be passed.

C. M.
25-5-05.

14. The draft was approved by the Dewan on 4th August 1905.

To the Compiler, Mysore Gazette, No. J. 418—C. 35-4, dated the 7th August 1905.

Forwards for publication a notification laying down the limit of the jurisdiction of the Criminal Courts in Mysore over native officers and soldiers of the Indian Army.

Proceedings of the Government of His Highness the Maharaja of Mysore Legislative and Judicial (Courts), August 1905.

Jurisdiction of Criminal Courts in Native States over native officers and soldiers of the British Army.

FILE No. 35 of 1904-05.

From the First Assistant to the Resident in Mysore, to the Dewan of Mysore, letter No. 3513, dated the 25th July 1904.

Serial No. 1

I am directed to acknowledge, with thanks, the receipt of Mr. Anantasami Rao's letter No. G. 6200, dated 8th June 1904, regarding the suspension of the sentence passed on Savar Ziabuddin Khan, one of the accused concerned in the Agaram riot case.

2. Under the orders of the Government of India I am now to request that the conditional release of Ziabuddin Khan which was announced in the letter referred to above may be made absolute, that he may be discharged from his bond, and that under Section 401 of the Code of Criminal Procedure the Durbar may be pleased to remit the whole of the unexpired portion of this savar's sentence. I am also to ask that the further proceedings against the other accused (Shan Singh) may be abandoned if this has not already been done. It is understood that these two accused will be dealt with by the Military authorities.

3. In this connection, I am to state that the Government of India have decided that the jurisdiction of Criminal Courts in Native States over native officers and soldiers of the British Army should be strictly and exclusively limited to the following cases : –

(i) when a native soldier while on leave within a Native State commits an offence which renders him subject to arrest, or

(ii) when a native soldier while on leave within a Native State is arrested for an offence committed by him in that State on some previous occasion : provided that the offence so committed is one of those entered in the schedule to the Indian Extradition Act.

4. In communicating these instructions for the information of the Government of His Highness the Maharaja, I am to say that the Resident has no doubt that the Durbar will in future carry them out with the same loyalty and good-will which they have always displayed in their dealings with the Government of India.

To the First Assistant to the Hon'ble the Resident in Mysore, letter Pol. No. 265, dated 20th September 1904.

Serial No 2

I am directed to acknowledge the receipt of your letter No. 3513, dated the 25th July 1904, and in reply to para 2 thereof, to state that under Section 401 of the Code of Criminal Procedure, the Durbar have remitted the unexpired sentence of Ziabuddin Khan, who has also been discharged from his bond; and that under Section 494 of the same Code, the only provision of law under which the Government could legally convey instructions of the kind in question, the Public Prosecutor has been directed to withdraw with the consent of the Court, the prosecution against the other accused Shan Singh.

2. With reference to paragraphs 3 and 4 of your letter, I am directed to state that while the Government of His Highness the Maharaja will gladly give effect to the intentions of the Government of India contained therein, they are at the same time, anxious to have the exact scope of the new provisions contained in para 3 of your letter defined beyond all doubt.

3. In the first provision, the words "an offence which renders him subject to arrest" are understood to include all cases in which an offender can be arrested either under a warrant issued by a Magistrate or without a warrant by the Police. Further, it is noted that this provision is not limited to offences entered in the Schedule to the Indian Extradition Act. It does not expressly throw any light on the procedure the Government of His Highness the Maharaja should adopt in three possible alternative cases, *viz.*, firstly, when a native soldier of the British Army commits within the State *while not on leave*, an offence which does not subject him to arrest as stated above; secondly, when he commits therein, *while on leave*, an offence *not* falling within the terms of the provision in question; and thirdly, when he commits an offence contemplated in the first provision *while not on leave*.

4. As regards the second provision, it is presumed that the expression "on some previous occasion" is independent of the circumstance whether a native soldier is, at the time of the commission of the offence, on leave or no. The observations made in the preceding para would also apply to this provision which is silent on the steps the Durbar could take regarding an offence outside the Indian Extradition Act.

Jurisdiction of Criminal Courts in Native States over Native officers and soldiers of the British Army.

5. In these circumstances, I am directed to request you to be so good as to place the matter before the Hon'ble the Resident and communicate his views in detail since the Government of His Highness the Maharaja are solicitous that in a matter of this importance, the instructions conveyed by them to their subordinate authorities should be so clear and definite as to be incapable of being misunderstood or misapplied on future occasions.

From the First Assistant to the Resident in Mysore, to the Dewan of Mysore, letter No. 2637, dated the 11th May 1905.

Serial No 3

I am directed to reply to Mr. Venkata Varada Iyengar's letter Pol. No. 265, dated the 20th September 1904, regarding the jurisdiction of Criminal Courts in Native States over native officers and soldiers of the Indian Army.

2. The Durbar have been informed in my letter No. 3513, dated the 25th July 1904, that the jurisdiction of such Courts is limited to—

(i) the case of a native soldier who, while on leave within a Native State, commits an offence which renders him subject to arrest;

(ii) that a native soldier who, while on leave within a Native State, is arrested for an offence committed by him in that State on some previous occasion; provided that the offence so committed is one of those entered in the schedule to the Indian Extradition Act.

They now enquire what is the correct procedure in the following cases:—

(*a*) when a native soldier of the Indian Army commits within a Native State, while not on leave, an offence which does not subject him to arrest;

(*b*) when a native soldier of the Indian Army commits within the State, while on leave, an offence which does not subject him to arrest;

(*c*) when a native soldier of the Indian Army commits within the State, while not on leave, an offence which does subject him to arrest;

They also desire to know—

(*d*) whether an offence previously committed in a Native State (ii *supra*) means an offence committed by such soldier when not on leave or when on leave; and

(*e*) what steps can they take when the offence referred to under (*d*) is not included in the Schedule to the Indian Extradition Act.

3. I am to state that as regards (*a*) the Courts of Native States have no jurisdiction over a native officer or soldier of the Indian Army who, while not on leave, commits any kind of offence within their territories.

As regards (*b*), the native officer or soldier who, while on leave in a Native State, commits an offence of any kind against the law of such State, is amenable to the jurisdiction of the State Courts.

As to case (*c*) the offender may be arrested by State authority in any case in which the law of the State permits of such arrest; but he should be handed over forthwith to the nearest Military authority.

With reference to (*d*) the words "an offence committed by him in that State on some previous occasion" (paragraph 2) (ii, *supra*) may be interpreted in their broadest sense, the meaning of the phrase not being restricted to offences committed while on leave. The jurisdiction of the Native State Courts will not, however, extend to the case of a native soldier, who has been charged with an offence previously committed while on duty, and who has already been tried and either acquitted or punished by the British authorities for such offence.

As regards (*e*), I am to say that the Government of India are prepared to waive the restriction imposed by the words "provided that the offence so committed is one of those entered in the Schedule to the Indian Extradition Act" (paragraph 2 (ii) *supra*).

Proceedings of the Government of His Highness the Maharaja of Mysore, Legislative and Judicial (Courts), August 1905.

Jurisdiction of Criminal Courts in Native States over native officers and soldiers of the British Army.

Notification No. J. 418, dated the 8th August 1905.

His Highness the Maharaja is pleased to issue the following orders for the guidance of all the Criminal Courts in the Mysore State :— Serial No. 4

1. The jurisdiction of the Criminal Courts in Mysore over native officers and soldiers of the Indian Army is strictly and exclusively limited to the following cases :—

(i) When a native officer or soldier, while on leave, commits within the State an offence of any kind against the law of the State.

(ii) When a native officer or soldier, while on leave within the State, is arrested for an offence committed by him in the State on some previous occasion, whether he was on leave or not on such occasion: provided that the jurisdiction of the Courts of the State does not extend to the case of a native officer or soldier who has been charged with an offence previously committed while on duty, and who has already been tried and either acquitted or punished by the British authorities for such offence.

2. The Courts of the State have no jurisdiction over a native officer or soldier of the Indian Army who, while not on leave, commits any kind of offence in Mysore. The offender may be arrested by the State authorities in any case in which the law of the State permits of such arrest, but he should be handed over forthwith to the nearest British Military authority.